

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 2nd May, 2012

The House met at 9.00 a.m.

*[The Temporary Deputy Speaker
(Mr. Imanyara) in the Chair]*

PRAYERS

QUESTIONS BY PRIVATE NOTICE

USE OF SPORTSMEN/WOMEN IN ADVERTS BY PRIVATE COMPANIES

Ms. Chepchumba: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Youth Affairs and Sports the following Question by Private Notice.

(a) Is the Minister aware that private companies are using images of Kenya's sportsmen and women in advertisements without any financial gain made to them?

(b) Could the Minister confirm that Mr. Dennis Oliech, an international footballer resigned from the national team, Harambee Stars, due to the use of his image without financial gain made to him?

(c) What measures will the Minister take to ensure that sportsmen and women, such as Mr. Dennis Oliech and Ms. Pamela Jelimo, whose images are used by such companies in advertisements, are paid?

The Temporary Deputy Speaker (Mr. Imanyara): Minister for Youth Affairs and Sports! Front Bench, do you have any idea where your colleagues are?

The Assistant Minister for Gender, Children and Social Development (Mr. Keya): Mr. Temporary Deputy Speaker, Sir, we do not know anything. Being a Wednesday morning and it has been raining very heavily, if you so please, maybe we may give them a bit of time.

The Temporary Deputy Speaker (Mr. Imanyara): We will come back to the Question.

NON-IMPLEMENTATION OF MARSABIT DISTRICT SECURITY COMMITTEE RESOLUTIONS

Mr. Chachu: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Is the Minister aware that the larger Marsabit District Security Committee held a meeting on 13th December, 2011 at Malkona and that its resolutions have not been implemented to date?

(b) Is the Minister further aware that due to failure by Government to recover the camels stolen by members of the Samburu community of Loiyangalani District from the Gabra community, there has been tension between the two communities?

(c) Could the Minister provide details on the resolutions made by the District Security Committee meeting of 13/12/2011 and also state when the Government will recover the stolen camels?

Mr. Temporary Deputy Speaker, Sir, I do not have a written response to this Question.

The Temporary Deputy Speaker (Mr. Imanyara): Minister of State for Provincial Administration and Internal Security! We will come back to that question.

CONTROVERSIAL APPOINTMENT OF CHIEF OF KIMINDA LOCATION

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Is the Minister aware that due to the controversy surrounding the appointment of the Chief of Kiminda Location in Nandi Central, the rate of crime has been escalating at a very alarming rate?

(b) What is the Minister doing to restore normalcy in the area?

The Temporary Deputy Speaker (Mr. Imanyara): Minister of State for Provincial Administration and Internal Security! We will also come back to the Question.

Mr. Outa: On a point of order, Mr. Temporary Deputy Speaker, Sir. You can see that all the Cabinet Ministers are not in the House. Is it because the Deputy Prime Minister, Musalia Mudavadi, is launching his party and all of them have decided---

The Temporary Deputy Speaker (Mr. Imanyara): You are out of order! You are asking Questions!

MURDER OF MS. GRACE WANJIRU WARUI

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Under what circumstances was Ms Grace Wanjiru Warui murdered in Kerugoya Town on the night of 10th April, 2012?

(b) How many suspect(s) have been arrested so far in connection with the murder?

(c) What measures will the Minister take to enhance security in the area?

Mr. Temporary Deputy Speaker, Sir, I have not received a written answer to this Question.

The Temporary Deputy Speaker (Mr. Imanyara): Minister of State for Provincial Administration and Internal Security! He is also not here. We will come back to the Question.

ORAL ANSWERS TO QUESTIONS

Question No.964

IMPLEMENTATION OF SECTION 53 OF EMPLOYMENT ACT

The Temporary Deputy Speaker (Mr. Imanyara): Mrs. Odhiambo-Mabona! We will come back to the Question.

Question No.1004

LACK OF PREMISES FOR KENYA HIGH
COMMISSION IN UGANDA

Mr. C. Kilonzo asked the Minister for Foreign Affairs:-

(a) why Kenya does not have its own premises for the High Commission in Uganda, considering that Uganda is Kenya's biggest trading partner; and,

(b) what plans the Ministry has to acquire such premises.

The Temporary Deputy Speaker (Mr. Imanyara): The Minister for Foreign Affairs is also not here. We will come back to the Question.

Question No.1021

SLOW DESIGNING OF INFRASTRUCTURAL PROJECTS
BY MINISTRY OFFICIALS

Mr. Ruteere asked the Minister for Public Works:-

(a) whether he is aware that infrastructural development projects in constituencies stall due to delay by the District Public Works Officers in providing structural drawings, hence causing escalation in costs of projects;

(b) what he is doing to ensure the officers make correct drawings on time and are available when required; and,

(c) whether he could also consider hiring private Architects and Structural Engineers in order to fast-track delayed projects.

The Temporary Deputy Speaker (Mr. Imanyara): Minister for Public Works! He is also not here.

Question No.1041

MEASURES TO CURB DRUGS/ALCOHOL
CONSUMPTION

Question No.1069

LEVEL OF FUNDING FOR ORPHANS AND
STREET CHILDREN

Question No.1109

LIST OF ACCOUNTING/ENGINEERING STAFF IN
GOVERNMENT DEPARTMENTS

Question No.1219

STALLING OF COMMUNITY MARKET
CENTRE PROJECT IN GATIMU

Mr. Mureithi asked the Deputy Prime Minister and Minister for Local Government:-

(a) whether he is aware that the Government had set aside a plot of land for a community market center at Gatimu shopping center; and,

(b) whether he is also aware that despite availability of Kshs200,000 from the CDF kitty for fencing and building of a toilet on the plot, the project has stalled due to illegal allocation of the plot.

The Temporary Deputy Speaker (Mr. Imanyara): The Deputy Prime Minister and Minister for Local Government is also not here. We will come back to the Question.

Question No.1352

PRESENTATION OF CELLULAR MOBILE PERFORMANCE
ASSESSMENT REPORT

Question No.1366

REHABILITATION OF RIVERS IN GATUNDU
NORTH CONSTITUENCY

Question No.1475

STATUS OF CONSTRUCTION OF KISII-KEROKA
ROAD/DARAJA MOJA BRIDGE

Question No.1536

CENTRAL BANK INACTION AGAINST
CHARTERHOUSE BANK LIMITED

Mr. Mwau asked the Minister for Finance:-

(a) whether he is aware that the Central Bank of Kenya accused Charterhouse Bank Limited of violating the Banking Act in 2006 and yet the bank was let off without being fined and, if so, whether he could explain why this happened; and,

(b) if he could clarify whether or not the manager appointed to manage Charterhouse Bank under S.34 (2) (a) of the Banking Act has continued to operate and manage the bank while the alleged violations persist.

The Temporary Deputy Speaker (Mr. Imanyara): The Minister for Finance is also not here. We will go for the second round.

QUESTIONS BY PRIVATE NOTICE

USE OF SPORTSMEN/WOMEN IN ADVERTS BY PRIVATE COMPANIES

Ms. Chepchumba: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Youth Affairs and Sports the following Question by Private Notice.

(a) Is the Minister aware that private companies are using images of Kenya's sportsmen and women in advertisements without any financial gain made to them?

(b) Could the Minister confirm that Mr. Dennis Oliech, an international footballer resigned from the national team, Harambee Stars, due to the use of his image without financial gain made to him?

(c) What measures will the Minister take to ensure that sportsmen and women, such as Mr. Dennis Oliech and Ms. Pamela Jelimo, whose images are used by such companies in advertisements, are paid?

Mr. Temporary Deputy Speaker, Sir, I do not have a written answer to this Question.

The Temporary Deputy Speaker (Mr. Imanyara): Minister for Youth Affairs and Sports! Front Bench, where is the Minister for Youth Affairs and Sports?

The Assistant Minister for Gender, Children and Social Development (Mr. Keya): Mr. Temporary Deputy Speaker, Sir, I am sorry, I am not able to tell where he is at the moment. But could I go and check if he is available.

Mr. C. Kilonzo: On a point of order, Mr. Temporary Deputy Speaker, Sir. I wish to ask the Chair to take action on the both sides of the House for Members who have failed to come to the House to ask Questions and for the Government, which is most notorious, for failing to come to answer Questions. I also suggest that we scrap the second round of Questions and instead we be taking action against on both the Members and the Ministers who fail to appear in the House.

Mr. Njuguna: Mr. Temporary Deputy Sir, this Question is very critical because the issues concerning Dennis Oliech have caused a major concern in this country. He has declined to participate in local and international soccer matches and, therefore, it is important that you sanction the Minister in that Ministry.

The Temporary Deputy Speaker (Mr. Imanyara): Yes but, what about the Question? We sanction the Minister but what happens to this important Question that the Member is in the House to ask?

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, you realize that the Front Bench is not very serious about matters before this House. The Question by hon. Chepchumba is very important for the Republic of Kenya, especially noting that this is an Olympic year, where most athletes are now preparing very hard to make their names and make their ends meet. Private companies keep on making use of our athlete's names to advertise without paying any dues to the athletes.

So, I want to plead with you that this Question should not be dropped. But the Minister should be named for failing to come and answer a very important Question.

The Temporary Deputy Speaker (Mr. Imanyara): Peris, what do you have to say? The Member for Eldoret South.

Ms. Chepchumba: Mr. Temporary Deputy Speaker, Sir, this is, indeed, a very important Question and the Minister should have been here to tell Kenyans exactly what is happening in his

Ministry. I feel that this Question should not be dropped and the Minister should be sanctioned. In any case, it is an offence for the Minister not come and answer a Question in Parliament.

Mr. Temporary Deputy Speaker, Sir, in any case, if he is on the way, this Question should be interrogated.

The Temporary Deputy Speaker (Mr. Imanyara): In accordance with the Standing Orders, the Minister--- I do not know how many Assistant Ministers are in that Ministry, but the Minister will not be permitted to transact any further business in this House until he or she has given a satisfactory explanation to the Office of the Speaker and the Speaker has accepted it.

Meanwhile, this Question--- Peris, when would you like the Question to be back on the Order Paper? I would indulge you on that.

*(The Vice-President and Minister for Home Affairs
(Mr. Musyoka) entered the Chamber)*

Mr. Mbadi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Now that the Leader of Government Business has just walked in, and he is the one who is supposed to whip the Government, could we get a response from the Leader of Government Business as to why his Minister is not in? His three Ministers are actually not in.

The Temporary Deputy Speaker (Mr. Imanyara): Yes. Leader of Government business, it has been brought to my attention that you are now in the House. Could you be able to throw some light as to where the Minister for Youth Affairs and Sports is?

(Mr. Musyoka consulted with the Clerk-at-the-Table)

Leader of Government Business!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I have just come in and the Clerk-at-the-Table was bringing me up to speed on this matter. I do not know whether you have gone through all the Questions.

Hon. Members: Second round!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Second round! If, indeed, we are doing the second round and the Ministers are not here, then I think they have to be held responsible. So, I want to deal with the issue.

The Temporary Deputy Speaker (Mr. Imanyara): So, the order remains that the Minister stands sanctioned. Ms. Chepchumba, when would you like this Question to be put on the Order Paper? I shall indulge you on that because you have been in the House since it started.

Ms. Chepchumba: Mr. Temporary Deputy Speaker, Sir, because of the importance of the Question, this afternoon.

The Temporary Deputy Speaker (Mr. Imanyara): It is not possible this afternoon, because the Order Paper is already prepared.

Ms. Chepchumba: Mr. Temporary Deputy Speaker, Sir, tomorrow.

The Temporary Deputy Speaker (Mr. Imanyara): Leader of Government Business, is tomorrow fine on this Question?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Yes, indeed, Mr. Temporary Deputy Speaker, Sir. Of course, as you said, the Order Paper for this afternoon is out and it is heavy. In fact, we will be calling on all of us to be present in the House because of the very important business we have to transact. But tomorrow afternoon should be okay.

The Temporary Deputy Speaker (Mr. Imanyara): So, I direct that this would be the first Question tomorrow afternoon.

(Question deferred)

Mr. Mwangi: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Standing Orders are very clear. Standing Order No.46 states that failure to ask or answer a question shall be disorderly conduct. How do you deal with the Ministers who are not here to answer Questions?

The Temporary Deputy Speaker (Mr. Imanyara): That is precisely why I said the Standing Orders will be enforced. They will not be permitted to transact any business in the House until they have satisfied the Speaker - with an explanation in writing - as to their absence from the House. That is as much as the Chair can do.

Member for North Horr.

NON-IMPLEMENTATION OF MARSABIT DISTRICT
SECURITY COMMITTEE RESOLUTIONS

Mr. Chachu: Mr. Temporary Deputy Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Is the Minister aware that the larger Marsabit District Security Committee held a meeting on 13th December, 2011 at Malkona and that its resolutions have not been implemented to date?

(b) Is the Minister further aware that due to failure by Government to recover the camels stolen by members of the Samburu community of Loiyangalani District from the Gabra community there has been tension between the two communities?

(c) Could the Minister provide details of the resolutions made by the District Security Committee meeting of 13/12/2011 and also state when the Government will recover the stolen camels?

The Temporary Deputy Speaker (Mr. Imanyara): The Minister of State for Provincial Administration and Internal Security! Once again, Leader of Government Business, this is most unusual. The Minister is normally in the House on time. Leader of Government Business!

The Vice-president and Minister for Home Affairs (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, yes, indeed, I would, on behalf of the Minister responsible for Provincial Administration and Internal Security, ask that this Question be dealt with tomorrow. As you have pointed out, something unique must have happened because hon. Ojode is always in the House to deal with Questions to his Ministry. So, I think if we can meet him half way and have him answer this Question tomorrow in the afternoon.

The Temporary Deputy Speaker (Mr. Imanyara): Yes, indeed, I take note that the Minister is very diligent in answering Questions. So, I will not take any sanctions, but I will order that the Question be put on the Order Paper tomorrow - also on priority basis.

(Question deferred)

Member for Ikolomani!

CONTROVERSIAL APPOINTMENT OF CHIEF OF
KIMINDA LOCATION

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Is the Minister aware that due to the controversy surrounding the appointment of the Chief of Kiminda Location in Nandi Central, the rate of crime has been escalating at a very alarming rate?

(b) What is the Minister doing to restore normalcy in the area?

I am asking this Question for the second time.

The Temporary Deputy Speaker (Mr. Imanyara): For similar reasons, Dr. Khalwale, the Minister, as you know, is normally very diligent in answering Questions. So, we shall indulge him. If you do not mind, this Question can come tomorrow if the Leader of Government Business agrees. What do you have to say?

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, most obliged. But I just wanted to remind the Chair that you are saying very good words about the Minister. Could you kindly be specific and indicate that the person you are talking about is hon. Ojode and not Professor George Saitoti?

(Laughter)

The Temporary Deputy Speaker (Mr. Imanyara): You have heard the Leader of Government Business refer to him by name. Surely, he understood clearly that I was referring to hon. Orwa Ojode.

(Question deferred)

This Question will appear tomorrow afternoon. Member for Kirinyanga Central!

MURDER OF GRACE WANJIRU WARUI

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Under what circumstances was Ms Grace Wanjiru Warui murdered in Kerugoya Town on the night of 10th April, 2012?

(b) How many suspect(s) have been arrested so far in connection with the murder?

(c) What measures will the Minister take to enhance security in the area?

The Temporary Deputy Speaker (Mr. Imanyara): For similar reasons, the Question will be deferred to tomorrow afternoon.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.964

IMPLEMENTATION OF SECTION 53
OF EMPLOYMENT ACT

The Temporary Deputy Speaker (Mr. Imanyara): Mrs. Odhiambo-Mabona!

(Mr. Outa moved to the Dispatch Box)

Mr. Mbadi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not know whether hon. Outa has been asked to ask this Question!

The Temporary Deputy Speaker (Mr. Imanyara): Why do you stand on a point of order on behalf of hon. Outa when he is on this feet?

Mr. Mbadi: This is Millie Odhiambo; I do not know why---

The Temporary Deputy Speaker (Mr. Imanyara): Are you Millie Odhiambo?

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I have a message from her.

The Temporary Deputy Speaker (Mr. Imanyara): Hon. Mbadi, hon. Outa has already approached the Chair and shown evidence that Mrs. Millie Odhiambo has requested him to ask this Question. What is your point of order?

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, then she asked two people. So, I rose because you gave me the Floor. But it is okay if hon. Outa is going to ask the Question on her behalf.

Mr. Outa on behalf of **Mrs. Odhiambo-Mabona**, asked the Minister for Labour:-

(a) when he will make regulations under Section 53 of the Employment Act on activities that are deemed harmful to the health, safety and morals of a child between 13-16 years of age; and,

(b) what is considered "light work" that a child can undertake under the law.

The Temporary Deputy Speaker (Mr. Imanyara): Minister for Labour! Leader of Government Business!

The Vice-president and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I was with the Minister for Labour yesterday and, indeed, in my address on behalf of the President, I remember dealing with this matter of child labour.

So, it is really a very appropriate Question that needs to be dealt with appropriately. May I then kindly request the hon. Odhiambo-Mabona to have this matter dealt with tomorrow afternoon?

I really sincerely apologise on behalf of all the Ministers who are not here today. I can see that on the side, Members are present and here to ask Questions. This is not a very good testimony on the Government side.

(Question deferred)

Dr. Khalwale: On a point of information, Mr. Temporary Deputy Speaker, Sir, for the benefit of the Leader of Government Business who is a very experienced Member of the House and, of course, a presidential aspirant---

Mr. Temporary Deputy Speaker, Sir, in the past, Leaders of Government Business have been coming to the House when they are aware what kind of Business is going to be transacted.

In fact, it was Uncle Moody's habit that whenever this kind of situation used to arise, he used to take the answer and read it. Could the Chair direct the Vice-President and the Minister for Home Affairs that, in future, he will be coming here with copies of answers to Questions so that when hon. Members allow him, he can then respond on behalf of the Ministries instead of just sitting there and-----

(Laughter)

The Temporary Deputy Speaker (Mr. Imanyara): I do not think the Chair would advise the Leader of Government Business on how to perform the functions of his office. But there are too many questions for tomorrow. What date would you prefer us to defer this Question to?

Mr. Outa: Tomorrow!

The Temporary Deputy Speaker (Mr. Imanyara): No, we have got too many Questions for tomorrow.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, this is not the first time the Question has been deferred. So, just to plead with the Chair, in all fairness, if it can still come tomorrow.

The Temporary Deputy Speaker (Mr. Imanyara): I am mindful of the fact that if you pick too many Questions also, we might not deal with them effectively. So, we will not do justice to this Question if we defer it to tomorrow afternoon. So, I will put it for Tuesday, next week.

Mr. Outa: I am most obliged, Mr. Temporary Deputy Speaker, Sir. This is a very important Question.

The Temporary Deputy Speaker (Mr. Imanyara): Leader of Government Business, this Question has come before the Floor of the House more than four times now. I think the Minister for Labour ought to take his work more seriously. The only reason I am not taking sanctions is because you say you were with him yesterday and he addressed this issue. But he must offer an explanation as to his absence from the House when he comes to answer this Question.

Next Question, Mr. C. Kilonzo.

Question No.1004

LACK OF PREMISES FOR KENYA HIGH
COMMISSION IN UGANDA

Mr. C. Kilonzo asked the Minister for Foreign Affairs:-

(a) Why Kenya does not have its own premises for the High Commission in Uganda, considering that Uganda is Kenya's biggest trading partner; and,

(b) What plans the Ministry has to acquire such premises.

The Minister for Foreign Affairs (Prof. Ongeru): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to reply.

The Temporary Deputy Speaker (Mr. Imanyara): You are out of order!

The Minister for Foreign Affairs (Prof. Ongeru): Mr. Temporary Deputy Speaker, Sir, I apologize. This Question was to be answered by my Assistant Minister. I was in another meeting and I was told that he missed his flight in Kisumu. So, I scrambled out of that meeting to come and answer this Question.

(Applause)

The Temporary Deputy Speaker (Mr. Imanyara): You are now in order; so, you may answer the Question.

The Minister for Foreign Affairs (Prof. Ongeru): Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The Ministry of Foreign Affairs acknowledges that Uganda is of very strategic importance to Kenya, being the largest trading partner in the East African Community region. Ownership of a Chancery has, therefore, been considered a priority and various steps have been taken towards acquisition of one as follows.

(i) The Ministry initiated measures aimed at acquisition of land on which to construct a Chancery. During an East African Community Summit held between 17th and 19th June, 2007, His Excellency President Yoweri Kaguta Museveni agreed to grant Kenya land in Uganda for this purpose. The piece of land measured 14 acres. It was expected that the Chancery and a trade centre/business park will be constructed on this piece of land. In exchange, the Ugandan Government requested that Uganda be allocated land of equivalent value in Mombasa that could be used for construction of a dry dock/warehouse.

(ii) The Ministry of Foreign Affairs, thereafter, wrote to the Head of Public Service asking the Ministry of Lands be directed to urgently identify for immediate alienation a piece of land in Mombasa that will be suitable for allocation to Uganda. Indeed, the Ministry of Lands identified several pieces of land and a delegation led by the then Minister for Foreign Affairs, hon. Moses Wetangula, that included the High Commissioner of Uganda to Kenya and representatives from various Government Ministries, travelled to Mombasa to inspect the plots. However, the Ugandan High Commissioner to Kenya later informed the Minister that none of the plots identified and inspected were found suitable. He requested that another piece of land be identified. This request was communicated to the Ministry of Lands vide letter Reference OP/Cap17/70A dated 11th November, 2009.

Meanwhile, in a report on 30th December, 2009, the High Commissioner of Kenya to Uganda informed the Ministry that the land granted to Kenya in Kampala had also been allocated to a leading Businessman, Mr. Sudhir Ruparelia. The Mission further communicated that Mr. Reparelia had taken the Ugandan Government to court demanding back, in the case, the land which was occupied by one of his agencies. He eventually won the case. This, essentially, meant that there was eventually no land allocated to the Government of Kenya in Kampala.

(b) I had given an earlier answer, but there has been a slight change towards the end, which I will request the Questioner to accept totally out of command.

(i) The Ministry continues to consider the acquisition of property to house the Kenyan High Commission in Uganda, as a priority and in that regard, in its 2011/2014 Medium Term Framework, the Ministry requested the allocation of funds for the purchase of a Chancery in Kampala.

(ii) The funds in the amount of Kshs450 million were proposed in the forward budget estimates for 2012/2013. Treasury was in agreement with the Ministry's proposal.

(iii) During sector working group meetings that were concluded in November, 2011, the Ministry was allocated funds amounting to Kshs2.2 billion, which included the amount of Kshs450 million to purchase a Chancery in Kampala in the next Financial Year 2011/2012.

However, this amount was removed from the Development Vote in the Printed Estimates for the 2011/2012 Financial Year. If the Ministry, therefore, is allocated the funds required, it will initiate the necessary procedures to acquire a Chancery Building.

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, the Ministry of Foreign Affairs has not been allocated any money in the current and also in the coming Budget. So, as a Government, as opposed to pushing the blame to Treasury, is the Government committed to taking Uganda as one of our major and strategic partner in this region bearing in mind that we have missions in countries of lesser importance where we have put up huge structures; for example, Namibia. We have missions in other countries which even a Committee of Parliament has commented they are not necessary, like Iceland. So, is the Government committed to ensuring that our mission in Uganda has what it takes to serve this purpose?

Prof. Ongeri: Indeed, Mr. Temporary Deputy Speaker, Sir, the Government is fully committed. I will be seeking the indulgence of the Defense and Foreign Affairs Committee during the budgeting process that this aspect of it be included through their intervention.

Mr. Koech: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the Minister indicate that the Government is fully committed. In his answer, he has made is very clear that last year, this year and even in the proposed Budget, there is no money allocated for the same. Is he in order to mislead the House that the Government is committed?

Prof. Ongeri: Mr. Temporary Deputy Speaker, Sir---

The Temporary Deputy Speaker (Mr. Imanyara): Do you want to respond to that?

Yes, Mr. C. Kilonzo!

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, this is the same Government which has allocated Kshs17 billion and one of the Ministries has said that they do not need the money. Could the Minister ensure that this money is put into proper use?

The Temporary Deputy Speaker (Mr. Imanyara): Mr. C. Kilonzo, I thought that the Minister said that he is seeking to work with the relevant Committee, to get assistance to restore this money that was removed. He did indicate that the money was allocated, but it did not appear in the Estimates. He says that he will be working together with the relevant Committee, I think the Committee on Defence and Foreign Relations, to facilitate the building of a chancery in Uganda. I think the Minister has been very clear on that.

Yes, Amb. Affey!

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, this is a very important matter. The Minister already confirms that Uganda is a leading trading partner with Kenya.

Mr. Koech: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has not responded to my point of order.

The Temporary Deputy Speaker (Mr. Imanyara): It was a point of order and the Chair did not consider it necessary for the Minister to answer.

Go on Amb. Affey!

Mr. Affey: Mr. Temporary Deputy Speaker, Sir, it is quite clear that the Ugandan Government was willing and, in fact, had identified a piece of land in Kampala for use by the Kenyan Government. But considering the aspect of reciprocal value, it is very clear that you did not identify the proper piece of land for the Ugandan Government to feel comfortable *vis-à-vis* the value they have given you in Kampala. So, there is a determination by the Government not to purchase this chancery. I would like to find out from the Minister how much we spend per month as rentals for the property that we are using in Kampala.

The Temporary Deputy Speaker (Mr. Imanyara): Surely, Ambassador, as to “how much” it is completely a different Question.

Member for Ikolomani!

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, last year this House made a resolution to the effect that it had no confidence in the Accounting Officer at the Ministry of Foreign Affairs; the same one who is there at the moment. Since the Minister is a new broom in that Ministry, could he confirm whether the reason this money has not been factored into this year’s Budget, is because he has agreed with the House that he has no confidence in that Accounting Officer and, therefore, fears that if he includes the money in the Budget, it will face the same fate the way the other money was treated in Japan?

Prof. Ogeri: Mr. Temporary Deputy Speaker, Sir, that can only be a guess. I would not want to venture into the historical perspectives or what might have transpired on this matter. But let me put the record straight; the Accounting Officer is one of the officers in my Ministry and he did his duty by including this in the Printed Estimates. It is only the working sector group within that aspect of the Budget that removed this Kshs450 million expenditure, which was to be incurred in the purchase of the chancery in Kampala. But I have already said that we will pursue this matter. We recognize the importance of Uganda as a trading partner and also the fact that we are spending close to Kshs1.015 billion for leasing residences and about Kshs398 million for chanceries, giving us a total of Kshs1.414 billion. We think that this trend is unsustainable, hence the clear decision that we will continue purchasing our chanceries where it matters most, and Uganda is such a chancery which matters most to us.

The Temporary Deputy Speaker (Mr. Imanyara): Last question, Mr. C. Kilonzo!

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, we are just curious whether the Government has gotten its priorities in order. It is only the other day when the Ministry of Agriculture said that it did not request for Kshs17 billion and yet, they have been allocated the amount. In the last financial year, the National Security Intelligence Service (NSIS) never requested for Kshs5 billion and they have been given Kshs5 billion. In the current financial year the NSIS will be given another Kshs2 billion which it has not requested for. The Government is referring to the working sector group. Who are these fellows in the working sector who are providing monies to the wrong sector? You, as the Government, cannot keep relying on our aid as a Committee of Parliament. If I remember very well, when you appeared you never brought up this matter. Can the Government, which has a Cabinet, sit down and ensure that funds are not provided where they are not requested?

Prof. Ogeri: Mr. Temporary Deputy Speaker, Sir, whereas I may not be in a position to comment about the Ministry of Agriculture or NSIS, because I do not know about their budget proposals, one thing which is clear is that the Ministry of Foreign Affairs is fitted into a wrong Committee in terms of purposes of competing for resources. You will remember that one of the requests that I made when I first appeared before the Committee on Defence and Foreign Relations is that there should be repositioning of the Ministry of Foreign Affairs so that we can then compete for the resources directly. We are grouped together with Parliament, and you know the position of Parliament. When they want their budget, there is not a single cent that is deducted. We are grouped together also with the Ministry of State for Provincial Administration and Internal Security and whatever money is requested, that is the money which will be given. If we were to be grouped under the Committee on Defence and Foreign Relations, I am sure that we will compete favourably for the resources that are available within that docket.

Question No.1021

SLOW DESIGNING OF INFRASTRUCTURAL PROJECTS
BY MINISTRY OFFICIALS

Mr. Ruteere asked the Minister for Public Works:-

(a) whether he is aware that infrastructural development projects in constituencies stall due to delay by the District Public Works Officers in providing structural drawings, hence causing escalation in costs of projects;

(b) what he is doing to ensure the officers make correct drawings on time and are available when required; and,

(c) whether he could also consider hiring private Architects and Structural Engineers in order to fast-track delayed projects.

The Temporary Deputy Speaker (Mr. Imanyara): Is the Minister for Public Works still not here? Leader of Government Business, the Front Bench is now fully occupied.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I do not see a representative of the Ministry of Public Works. Similarly, I wish to apologize and ask that this matter be put in the Order Paper for next Tuesday.

The Temporary Deputy Speaker (Mr. Imanyara): Any objection, Mr. Ruteere?

Mr. Ruteere: Mr. Temporary Deputy Speaker, Sir, this Question was in the Order Paper last week and is appearing again today. But I will not mind because of the congestion of Questions tomorrow. So, Tuesday next week is okay.

The Temporary Deputy Speaker (Mr. Imanyara): This Minister also, like Mr. Orwa Ojode, is normally very diligent in answering Questions. So, Leader of Government Business, the Chair is not going to take any sanctions. We will have this Question answered on Tuesday, Mr. Ruteere!

(Question deferred)

Question No.1041

MEASURES TO CURB DRUGS/ALCOHOL CONSUMPTION

Mr. Kaino asked the Minister for Education whether he is aware that many children drop out of school due to drug abuse and excessive alcohol consumption and, if so, what measures he is taking to solve the problem.

Mr. Temporary Deputy Speaker, Sir, I am sorry for coming late.

The Assistant Minister for Education (Prof. Olweny): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

Yes, I am aware that drug abuse and excessive alcohol consumption is among the causes of school drop-out. The Ministry has put in place the following measures to address drop-out cases arising from alcohol and drug abuse among learners:-

(a) established guidance and counselling departments in all learning institutions;

(b) strengthened working relationships with the office of the Coordinator of the National Campaign Against Drug Abuse (NACADA), which includes incorporating alcohol and drug abuse issues into the curriculum;

- (c) capacity building for guidance and counselling teachers on alcohol and drug abuse;
- (d) established a permanent multi-sectoral structure to deal with substance abuse in some learning institutions; and,
- (e) further research on alcohol and drug abuse in learning institutions.

Mr. Kaino: The Temporary Deputy Speaker, Sir, the trend of drug abuse and alcoholism by our children is alarming. The answer that the Assistant Minister has given is not really convincing because what he has said is not coming out clearly about the strategies that they have put in place. This alcoholism and drug abuse has gone even to the rural areas where it used not to be many years ago. So, we are suffering and in future we may not even have children going to school because of these problems. So, could he come out clearly and tell this House what they have done or are doing to save the children of this nation from destruction?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, some of these drug abuse cases are within villages. Some of those young people take them when they are at home. Within our learning institutions, we are taking care. If we find a student involved in drug substance abuse we handle that case. Otherwise, we have, within our learning institutions departments which have the mandate of dealing with prevention and rehabilitation of learners who have been involved in alcohol and drug abuse. We have also come up with a booklet titled “Learn to Say No to Drug Abuse”. This is incorporated in our learning institutions. Our teachers use them. We also have the facilitators’ handbook on life education in schools. We are also collaborating with NACADA in training our teachers on counselling and how to rehabilitate learners who have been involved in such practices. Those who are in the village or out of school, it would be difficult to reach them unless they are back to school. NACADA helps in tracing some of them. If we get them back to school, we try as much as possible to rehabilitate them.

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, first of all, I am sorry that I was not in when my Question was called out. I was held up.

From the answer that he is giving, it actually depicts that the Government is not aware of how serious this issue is. Last year, I was involved in such issues because I have a person who is close to me who has a similar challenge. I was speaking to Members of Parliament. Each and everyone I spoke to has somebody very close to them in the family who is having a serious problem with drug and alcohol abuse. I have heard him say that they are training teachers to do counselling. The level of addiction is that you do not deal with it through counselling through school. Could he indicate that the level has reached a proportion that you need to declare it a national disaster?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, I do not think declaring that a national disaster lies within the mandate of the Ministry of Education.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, this is a very serious issue touching on the children and the future leaders of this country. One of the ways to cut drug abuse and alcoholism, especially among students is to ensure that no bars are opened in the vicinity of our institutions. What is the Assistant Minister doing to ensure that his law is completely adhered to and that no bars are opened in the vicinity of our institutions?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, we passed a Bill here regarding what the hon. Member has raised. The implementation of ensuring that bars are not within the vicinity of schools is not within the mandate of the Ministry of Education. There are other Government departments, but we keep appealing to other departments of the Government to help ensure that the law is implemented because we do not want bars next to schools.

Ms. Chepchumba: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is sad to hear from the Assistant Minister that it is not his concern and that it is not within his Ministry. He is putting his hands off---

The Temporary Deputy Speaker (Mr. Imanyara): Ms. Chepchumba, you have stood on a point of order.

Ms. Chepchumba: I would like the Assistant Minister to tell this House why his Ministry is not concerned about this issue yet we are losing a young generation. Is he in order not to be concerned?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, my Ministry is seriously concerned. I am deeply concerned and that is why I have given this answer. When it comes to the point of order that the hon. Member has raised my Ministry collaborates with other wings of the Government to help us in closing bars that are within the vicinity of schools. We do not have the policing capability, but we collaborate with local authorities and the Ministry of State for Provincial Administration and Internal Security to help us with implementation.

Mr. Ruteere: Mr. Temporary Deputy Speaker, Sir, we know that the Assistant Minister appoints District Commissioners (DCs) as chairmen of District Education Boards. It is the DCs who license bars. Why can he not direct his appointees to close the bars?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, it is fair for this House to direct Questions to where they belong. This House knows very well that my Ministry does not have the policing capability.

The Temporary Deputy Speaker (Mr. Imanyara): The point that was brought to your attention is that the DCs are the chairs of the District Education Boards and also the chairs of District Liquor Licensing Boards. That is the issue that is being referred to you. What do you have to say to that given that it is your appointee who is the chair of District Education Board?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, when the DCs chair the District Education Boards, they deal with issues relating to education policy. When it comes to closing bars, that now belongs to the security committee within the districts.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, is the Assistant Minister in order to evade a question considering that Ministries undertake collective responsibility? The aspect of closing bars and education can all be under collective responsibility. Is he in order to evade the question when he himself on behalf of the public does what he has been asked?

The Temporary Deputy Speaker (Mr. Imanyara): Prof. Olweny, you are in order! You have not addressed that issue. That is a valid point of order and the Assistant Minister is not dealing with it.

Mrs. Odhiambo-Mabona: On a point of order, Mr. Temporary Deputy Speaker, Sir. I am just concerned that the Assistant Minister is not taking this issue seriously. Regarding my question, all he did was to say that it was not in his mandate and he sat down. If it is a serious issue then why has he been putting a hands-off approach? So, would we be in order to request him to come back with a better answer?

The Temporary Deputy Speaker (Mr. Imanyara): Prof. Olweny, the issue of the DCs being chairs of both education and security committees is a matter that you cannot avoid answering. If you want time to address that issue, we will give you time, but you cannot possibly separate the two when it is the same person chairing the two committees.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, let us be fair enough, Members of Parliament are also members of those District Education Boards where District Commissioners

sit. What deliberations do they make with the DCs? Let us be fair. All of us are members of DEBs.

(Loud consultations)

The Temporary Deputy Speaker (Mr. Imanyara): Order, hon. Members! Mr. Assistant Minister, the responsibility of answering that question lies squarely on you.

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, we will ask and not direct the DEBs, chaired by DCs, to pass the information to the security committees of the various districts.

The Temporary Deputy Speaker (Mr. Imanyara): When will you do this, and how much time do you require to come and report back to the House that you have done exactly what you have said?

Prof. Olweny: Mr. Temporary Deputy Speaker, Sir, well, these are directives that we give. However, if you want the data on the impact of the directive, that will take time.

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Assistant Minister! You have said that you will give a direction. All that the Chair is asking you is, how long do you require to come back to the House to report that you have, indeed, issued the necessary directives?

Prof. Olweny: Mr. Temporary Deputy Sir, I can bring a letter giving direction to that effect within a month.

The Temporary Deputy Speaker (Mr. Imanyara): This Question will be back on the Order Paper, on Wednesday; that is 30days after today for the Assistant Minister to give us the status report.

(Question deferred)

Let us move on to the next Question by nominated Member, Sheikh Muhammad Dor!

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, I apologise for coming late. I beg to ask Question No.1069.

Question No.1069

LEVEL OF FUNDING FOR ORPHANS/
STREET CHILDREN

Mr. Yakub asked the Minister for Gender, Children and Social Development:-

(a) how much the Ministry is spending every month on orphans and vulnerable children all over the country and how much funds are spent in Mombasa and Lamu counties;

(b) which groups received funding from the Ministry in 2009 and 2010 in Mombasa and Lamu counties to cater for the needs of street children; and,

(c) what action the Ministry is taking to resettle the ever increasing street children in Mombasa.

The Assistant Minister for Gender, Children and Social Development (Mr. Keya): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

The Ministry spends Kshs200 million every month on orphans and vulnerable children in the country. In Mombasa, a total of Kshs3 million was spent every month during the 2009/2010 Financial Year. During the same period, no such money was spent in Lamu County.

The programme is being steadily upscaled and Lamu has been catered for in the current Financial Year, that is 2011/2012 with an allocation of Kshs14 million which has been allocated to the counties. This translates to Kshs5.6 million for 280 households in Lamu East and Kshs8.4 million for 420 households in Lamu West. The Ministry has just concluded the beneficiary identification and targeting process and payment shall be disbursed before the end of this financial year.

(b) My Ministry has not been allocated any funds to cater for street children in the country. Therefore, no groups in Mombasa and Lamu have received such a fund from my Ministry.

(c) In May, 2011, my Ministry undertook a rapid assessment on the status of street children in Mombasa to establish their number and assess their needs for proper planning and better service delivery. Besides the rapid assessment, several mechanisms, programmes and facilities to deal with the ever increasing vulnerable children, including street children all over the country have been put in place. These efforts are collaborative where the Government agencies as well as development partners are involved and include the establishment of child protection centres which are to be used as fronts in a coordinated support system for children including street children.

Currently, there are two fully operational centres in Malindi and Garrisa and another four under construction in Kakamega, Siaya, Nakuru and Nairobi. The drafting of the Children's Act (Amendment Bill) which is aimed at enhancing child care and protection in the country, hence taming incidences of abandonment, neglect and all other forms of child abuse which drive children to the streets is ongoing. As soon as it is ready, the Bill will be brought to Parliament for debate and enactment.

Mr. Yakub: Thank you, Mr. Temporary Deputy Speaker, Sir. Part "a" of the reply by the Assistant Minister states very clearly that during the 2009/2010 Financial Year no such money was spent in Lamu County. Could the Assistant Minister tell the House what criteria they used at that time because Lamu is much poorer than Mombasa County?

Mr. Keya: Thank you, Mr. Temporary Deputy Speaker, Sir. I indicated in my answer that the programme is steadily being upscaled and Lamu has been catered for. At that time, we only had a pilot scheme and we are now moving out of the scheme. That is why Lamu has now been considered during the 2011/2012 Financial Year.

Mr. Mwangi: Thank you, Mr. Temporary Deputy Speaker, Sir. Listening to the Assistant Minister while answering part "c" of the Question, he stated that the Ministry has established some centres to cater for street children. But surprisingly, the number of street children in Nairobi has increased very much that if you visit a place like Westlands roundabout, on your way to Chiromo, you will find families in the streets in the morning and in the evening. Could the Assistant Minister indicate specifically where these centres are and why these street families have not been taken to those centres in Nairobi?

Mr. Keya: Mr. Temporary Deputy Speaker, Sir, the issue of street children is very delicate and it is a national problem which should be taken care of seriously by every leader in this country. As I indicated, we are establishing some of the centres. We have operational centres only in Malindi and Garrisa. Another four are under construction in Kakamega, Siaya, Nakuru and Nairobi. So, being a national problem, please, let us all, as leaders, take it seriously.

Mrs. Odhiambo-Mabona: Thank you, Mr. Temporary Deputy Speaker, Sir. I was on KTN this morning and many viewers asked me this question. Some people called from Mombasa, Kitale and Kisumu. Last week when I was in Mbita, people from Lambwe, Mfangano and Rusinga requested me to ask the Assistant Minister this Question. All this while, when people have been asking questions about this Fund, he has been saying that it is a pilot project. Now that he is upscaling it, what criteria will he use because many people from those areas are not benefitting from these funds? This is the case and yet a place like Mbita has the highest number of orphans and vulnerable children. It is only specific areas that are touched.

Mr. Keya: Mr. Temporary Deputy Speaker, Sir, now that we are upscaling and we expect more monies from the Government, most of these areas will be included. We have opened offices in various places. At the moment, we have almost 150 offices. I think Lambwe or rather Mbita is one of them. So, it will be included when we get funds this financial year.

Mr. Njuguna: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has already informed the House that nationally, Kshs2 billion will be allocated to certain constituencies. What new efforts is the Ministry making to enhance the allocation so that more needy and poor children are allocated those funds in the countryside?

Mr. Keya: Mr. Temporary Deputy Speaker, Sir, the Ministry will request for more money in the 2012/2013 Financial Year to cater for the other areas.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, one of the solutions is to ensure that those orphaned and vulnerable children go to school, so that they can participate in building our nation. If Kshs200 million is allocated to those children every month, it will go a long way in helping and alleviating their problems. Could the Assistant Minister inform the House how much of that Kshs200 million has been allocated for bursaries and school fees for those children?

Mr. Keya: Mr. Temporary Deputy Speaker, Sir, we are yet to allocate specific amounts for bursaries. Otherwise, at the moment, we have about five rehabilitation schools in various parts of the country, where the few who are there are provided for.

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, the issue of street children and child abuse in Mombasa is well known. When will the Assistant Minister provide a child helpline number 116 in one of the counties at the Coast?

Mr. Keya: Mr. Temporary Deputy Speaker, Sir, we have requested for funds in the Budget of 2012/2013 and, as soon as that is done, we should be able to do it in the next financial year.

Question No.1109

LIST OF ACCOUNTING/ENGINEERING STAFF
IN GOVERNMENT DEPARTMENTS

The Temporary Deputy Speaker (Mr. Imanyara): I thought I saw hon. Ethuro somewhere? Question dropped!

(Question dropped)

The Temporary Deputy Speaker (Mr. Imanyara): Next Question by Mr. Mureithi!
Question No.1219

STALLING OF COMMUNITY MARKET CENTRE PROJECT IN GATIMU

Mr. Mureithi asked the Deputy Prime Minister and Minister for Local Government:-

(a) whether he is aware that the Government had set aside a plot of land for a community market center at Gatimu Shopping Center; and,

(b) if he is also aware that, despite availability of Kshs.200,000 from the CDF kitty for fencing and building of a toilet on the plot, the project has stalled due to illegal allocation of the plot.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, I have asked Question No.1219 for the second time today, and it is the seventh time that I am asking this Question. Something must be done on this Question because it is very important. Women stand to lose their market.

The Temporary Deputy Speaker (Mr. Imanyara): Is hon. Mudavadi not here? Leader of Government Business, where is the Deputy Prime Minister and Minister for Local Government?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, I appreciate the sentiments by Mr. Mureithi and I plead with him that he gives the Deputy Prime Minister and Minister for Local Government up to Wednesday next week so that he can come up with an answer to this Question. I believe he is going to be satisfied if he gives that indulgence.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, considering the speed at which private developers move, maybe by Wednesday, they might have started constructing the stalls and the 50 women who were given Constituencies Development Fund (CDF) money to fence and build a toilet, will have lost. Can the Question be answered on Tuesday?

The Temporary Deputy Speaker (Mr. Imanyara): The Leader of Government Business tells you that you will be very happy on Wednesday when the Question will be answered. We have deferred so many Questions to Tuesday. There is also the allocation for Tuesday and, if we do that, you might not get justice.

Mr. Mureithi: Okay. I stand guided, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): The Question is deferred to next Wednesday and before that, the Deputy Prime Minister and Minister for Local Government must offer the Speaker an explanation as to his absence in the House this morning before he can transact further business in the House.

(Question deferred)

The Temporary Deputy Speaker (Mr. Imanyara): Next Question by Mr. Ethuro!

Question No.1109

LIST OF ACCOUNTING/ENGINEERING STAFF
IN GOVERNMENT DEPARTMENTS

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, my apologies for running late. But I was also consulting the Minister. Can I then ask my Question?

The Temporary Deputy Speaker (Mr. Imanyara): You were consulting the Minister to answer you in private or what?

Mr. Ethuro: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Very well. Then we will defer the Question so that the Minister can answer you in private.

Mr. Ethuro: Thank you, Sir.

(Question deferred)

The Temporary Deputy Speaker (Mr. Imanyara): Next Question by Eng. Gumbo!

Question No.1352

PRESENTATION OF CELLULAR MOBILE
PERFORMANCE ASSESSMENT REPORT

Eng. Gumbo asked the Minister for Information and Communications:-

(a) whether he could present and explain the latest (2010/2011) Cellular Mobile Quality of Service Performance Assessment Report for all the mobile phone operators in Kenya;

(b) whether he is satisfied that all the mobile phone operators in Kenya have achieved the minimum set targets for all the eight (8) Quality of Service (QoS) performance parameters as set out by the Communications Commission of Kenya (CCK); and,

(c) what the Ministry is doing to ensure that Kenyans, and all mobile phone users in Kenya, get value for every cent spent on these networks.

I apologise for coming late.

The Assistant Minister for Information and Communications (Mr. Ogari): Mr. Temporary Deputy Speaker, Sir, I have already consulted the hon. Member. We have looked at the matters at hand on the same issue and I am not satisfied with the answer. I would like to request for two weeks so that I can come up with a more detailed answer.

Eng. Gumbo: Mr. Temporary Deputy Speaker, Sir, I have no objection because this Question is about consumer protection. It is better to have a more adequate answer.

The Temporary Deputy Speaker (Mr. Imanyara): The Question is deferred for two weeks.

(Question deferred)

The Temporary Deputy Speaker (Mr. Imanyara): Next Question by hon. Waibara!

Question No.1366

REHABILITATION OF RIVERS IN GATUNDU NORTH CONSTITUENCY

The Temporary Deputy Speaker (Mr. Imanyara): Is Mr. Waibara not here? His Question is dropped!

(Question dropped)

The Temporary Deputy Speaker (Mr. Imanyara): Next Question by Dr. Monda!

Question No.1475

STATUS OF CONSTRUCTION OF KISII-KEROKA ROAD
/DARAJA MOJA BRIDGE

Dr. Monda asked the Minister for Roads:-

(a) the status of the construction of Kisii-Keroka Road and Daraja Moja Bridge;

(b) the cause of the numerous potholes on the above road and bridge, which have caused several accidents and loss of lives; and,

(c) what measures the Ministry is taking to ensure that contractors who have done shoddy jobs are compelled to re-do the work and ensure the taxpayer gets value for money.

The Temporary Deputy Speaker (Mr. Imanyara): Order! Hon. Member, is this Question being asked for the second time?

Dr. Monda: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Did you ask the first time?

Dr. Monda: No, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): You are out of order, then.

Dr. Monda: Mr. Temporary Deputy Speaker, Sir, I apologise for coming late. I walked in a moment after you had already called the Question for the second round. If you allow, please, let me ask the Question.

The Temporary Deputy Speaker (Mr. Imanyara): Very well. Minister for Roads!

The Assistant Minister for Roads (Mr. Kinyanjui): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The construction of Kisii-Keroka Road, that is B3, commenced on 27th July, 2010 and was completed within six months, in the period starting December 2010 and ended in June 2011. The construction of Daraja Moja Bridge commenced on 29th April, 2010 and was completed on 28th June, 2011.

(b) The potholes emerging from some sections of the above road and the approaches to the bridge have been caused by a roadside carwash and leaking water pipes belonging to Lake Victoria South Water Services Board. As a result, Kenya National Highways Authority (KeNHA) is currently liaising with the water board in view of resolving the problem by re-routing the water pipes. I have instructed the Director-General of KeNHA to issue notices to the roadside carwash operators to vacate the road reserve.

(c) As I have mentioned above, the damage to the road was caused by leaking water pipes and water from the roadside carwash. I have instructed the Director-General of KeNHA to send a technical team on the ground to assess the damage and submit a report. Appropriate action will be taken thereafter.

Dr. Monda: Mr. Temporary Deputy Speaker, Sir, I am so saddened by the answer that has been given by the Assistant Minister. That is because when you look at part "a" of his answer, the road was completed last year in June. It took two years to construct the road and it

was completed last year in 2011. Daraja Moja is known because of the many accidents that have killed people in Kisii Town. That is what warranted the reconstruction of the bridge by the Ministry. A road that was constructed less than a year ago has got potholes right in the middle of the bridge and even beyond. On Monday, members of the public planted bananas in the middle of the bridge. That is because it is not a road but potholes with water stuck in the middle of the bridge. What is going to happen is that because of that bridge, the communication between Kisii and Nairobi will be cut off. What is the Ministry doing to ensure that the shoddy job done by the contractors, leading to the situation of the bridge and the road, is re-done? Could the bridge be re-done – and urgently so – to save road users from being involved in accidents like we have had before the completion of the bridge?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, as I indicated earlier, we have instructed our technical team to inspect this particular bridge and confirm that indeed the position indicated by the hon. Member is correct. Otherwise the report that we were given at the point of completion of the works and after the defect liability period following completion, which is normally six months, was okay. However, in view of the complaints arising from the hon. Member, we will be having a technical visit, after which we will accordingly inform him of our findings and action will be taken.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, the importance of this road cannot be overemphasised. This road serves the better part of the western region. It even gives Kenyans access to Tanzania through Isebania. Reading from the Assistant Minister's answer, the potholes are caused by leaking water pipes yet this road was done only last year. Is he confirming to this House and this country that the Ministry does not have technical people who would, before the road construction begun, establish exactly where the water pipes were, so that appropriate action could be taken before the reconstruction of the road was undertaken?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, the responsibility of re-routing the pipes does not belong to the Ministry. The problem that we currently have on this section of the road is that pipes are old and leaking. Moreover, we have people who have set up car wash facilities that do not have proper drainage. However, as we have said, this is only preliminary. Once we send our technical team to the ground, we will have the right report based on what is happening on the ground. Thereafter, we will take remedial action.

Mr. Kiuna: Mr. Temporary Deputy Speaker, Sir, I would like to know from the Assistant Minister what steps the Ministry is taking against “cowboy” contractors or contractors who do shoddy jobs. In part (c), the Questioner asked what measures the Government is taking against people who do shoddy jobs. I have the same problem in my constituency and I have been complaining. I would like to get assurance from the Assistant Minister as to what they are going to do with shoddy or “cowboy” contractors since they do not the right jobs. Whatever road works they undertake, after a short while, the road becomes impassable. What measures is the Ministry going to take against such contractors? Could the Assistant Minister assure this House that those contractors who have done shoddy jobs are de-registered and blacklisted, so that they are not given any more contracts?

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, when my Ministry found that a particular contractor had done work in a manner that did not reflect the terms of the contract, we asked for a repeat of the works in terms of correction of where the mistakes had occurred. More importantly, we do not give such contractors any work thereafter. For contractors who have invested heavily in terms of equipment and all that, the fear of not being given any more work in future would really be a deterrent.

Mr. Speaker, Sir, in the case of the road from Kisii to Gucha and Keroka, the contractor was M/s H. Young. “Madam Speaker”, I wish to assure the House that if it is found that the contractor did not do the job as specified in the contract documents, we will take necessary action.

Dr. Monda: On a point of order, Mr. Temporary Deputy Speaker, Sir. You heard the Assistant Minister refer to the Chair as “Madam Speaker”. Is he in order?

The Temporary Deputy Speaker (Mr. Imanyara): The Chair did not hear.

(Mrs. Odhiambo-Mabona stood up in her place)

Are you on a point of order, Millie?

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, I want to ask a supplementary question!

The Temporary Deputy Speaker (Mr. Imanyara): What is your question?

Mrs. Odhiambo-Mabona: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has alluded to the fact that they are going to send a technical team to inspect the road. This is the road that I also use on my way home. I am equally concerned about the Homa Bay-Mbita Road, where road works are taking forever to be done, and about which I have always been asking the Minister. Would I be in order to request the Assistant Minister to come back with an answer after the technical team has gone and inspected that section of the road? It is really not in order that a road is made and within a year, there is a problem with it. Therefore, can I request that he comes back with a report after the inspection tour by his technical team, so that our Questions are not cosmetic? We ask Questions so that he can give us concrete answers to the effect that he has actually checked and found where the problems are and tell us how he intends to fix them.

Mr. Kinyanjui: Mr. Temporary Deputy Speaker, Sir, I had discussed that option with the Questioner – that we defer the Question until after we visit the site but we agreed that we execute the Question this far and that when we visit the site, we incorporate him and give him the technical report when we come back. Otherwise, I will be agreeable to whatever hon. Members think is right.

The Temporary Deputy Speaker (Mr. Imanyara): Last question, hon. Monda!

Dr. Monda: Mr. Temporary Deputy Speaker, Sir, considering that the Assistant Minister is willing to go to Kisii and look at this bridge and the road, I would like him to tell the House when this will happen. He needs to do it urgently. Is it happening this week or early next week?

The Temporary Deputy Speaker (Mr. Imanyara): The two of you can agree on that one. Next Question, Member for Kilome!

Question No.1536

CENTRAL BANK INACTION AGAINST
CHARTERHOUSE BANK LIMITED

Mr. Mwau asked the Minister for Finance:-

(a) if he is aware that the Central Bank of Kenya accused Charterhouse Bank Limited of violating the Banking Act in 2006 and yet the bank was let off without being fined and, if so, whether he could explain why this happened; and,

(b) if he could clarify whether or not the manager appointed to manage Charterhouse Bank under S.34 (2) (a) of the Banking Act has continued to operate and manage the bank while the alleged violations persist.

The Assistant Minister for Finance (Dr. Oburu): Mr. Temporary Deputy Speaker, Sir, I beg to apologise for coming late. I beg your indulgence.

The Temporary Deputy Speaker (Mr. Imanyara): Very well!

The Assistant Minister for Finance (Dr. Oburu): Mr. Temporary Deputy Speaker, Sir, I am also asking for a deferment of this Question to Wednesday next week. This is because we got an answer from the Central Bank of Kenya but we are not satisfied with it. We are seeking more information from them. I have discussed this with hon. Mwau and we are asking that the Question be deferred to Wednesday afternoon.

The Temporary Deputy Speaker (Mr. Imanyara): Hon. Mwau, is that the position?

Mr. Mwau: Mr. Temporary Deputy Speaker, Sir, I have conceded to the Assistant Minister's request for the Question to be deferred to Wednesday next week but may he also provide me with the written answer.

The Temporary Deputy Speaker (Mr. Imanyara): Very well. The Question should be on the Order Paper next Wednesday, morning session.

(Question deferred)

The Temporary Deputy Speaker (Mr. Imanyara): Next Order!

POINT OF ORDER

STATUS OF UNDELIVERED MINISTERIAL STATEMENT

The Temporary Deputy Speaker (Mr. Imanyara): Are any Statements due for delivery this morning, Clerks-at-the Table? Are there any requests for Statements?

Mr. Ethuro: On a point of order, Mr. Temporary Deputy Speaker, Sir. A week ago, the Minister of State for Provincial Administration and Internal Security was to bring a Ministerial Statement on the state of security in Turkana. The Speaker deferred it then and we agreed that he will bring it this morning.

The Temporary Deputy Speaker (Mr. Imanyara): The Chair did indicate that this particular Minister normally offers reasons for absence but we do not know exactly why he is not in the House this morning. So, I will urge the Leader of Government Business to indicate to him that when he comes to make Ministerial Statements, he also gives the Ministerial Statement that you sought. Leader of Government Business, is that okay?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, we will indeed do so. I am sure that the Minister will act expeditiously on this request.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I want to agree with your sentiments and those of the Leader of the Government Business that the Minister of State for Provincial Administration and Internal Security is a good Minister. I know that he has the Ministerial Statement. So, I will be looking forward to having it presented here.

Mr. Temporary Deputy Speaker, Sir, there was a second Ministerial Statement on noise pollution from the Minister for Environment and Mineral Resources, which was a subject of a

serious issue, where hon. Members commented that there are some Ministerial Statements in respect of which Ministers do not seem to be in a hurry to deliver. In this case, they are not even slow enough to bring them. He was also supposed to bring the Ministerial Statement to the House.

The Temporary Deputy Speaker (Mr. Imanyara): Leader of Government Business, could you make an undertaking on behalf of the Minister?

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Temporary Deputy Speaker, Sir, this Statement was actually due by 20th March. The House will recall that last week, I undertook, in consultation with the Clerks-at-the-Table, to come up with a list of all the pending Ministerial Statements. This list is nearly complete and I want to write to every Minister. But I notice that there are some Statements that were due by March or by August, 2011, and time is long gone. So, the House may have to decide whether these Ministers should give a status report or whether to close that chapter. But I think the Statement on the environment is quite recent and I will ensure that the Minister comes and gives it next week.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, while I appreciate the steps the Leader of Government Business is taking, I am worried about his desire to close or give the status because the fact that those ones are for last year just shows that we have continued suffering with noise pollution. So, I really urge the Leader of Government Business, particularly on that one, to request the Minister to issue it this week because I will be away from the House on parliamentary business next week.

The Temporary Deputy Speaker (Mr. Imanyara): I think the Leader of Government Business indicated that he has now got this list and he will be writing to all the Ministries concerned. I think it is only fair we give them reasonable time within which to keep these assurances.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I appreciate your guidance but you and I know that these things are listed and it is the responsibility--- This is not news coming from out of the blues.

The Temporary Deputy Speaker (Mr. Imanyara): But it is the first time the Leader of Government Business has addressed the issue. So, let us give him the opportunity to act on his own assurances.

Mr. Ethuro: Thanks for your guidance, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Next Order!

Leader of Government Business, this is a straightforward Motion.

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF S.O 38

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Yes, Mr. Temporary Deputy Speaker, Sir, this is, indeed, a straightforward Motion. I beg to move the following Motion:-

THAT, this House orders that the Business appearing in today's Order Paper be exempted from the provisions of Standing Order No.38(1), being a Wednesday morning, a day allocated for Private Members' Motions.

Mr. Temporary Deputy Speaker, Sir, the reason for this is to enable the House to go back to the discussion and the debate on the Presidential Address on the State of the nation given before this House on 24th April.

It was felt that we could even interrupt the debate on the Presidential Address because there was other very urgent business having to do with the implementation of the Constitution. More specifically, the House will recall that we debated the Land Bills and we were able to beat the deadline. So, we felt, as the House Business Committee, that we could use this morning--- I want to urge hon. Members to look favourably at this request because they actually have to donate Private Members' time in order to continue with the debate on the Presidential Address.

Mr. Temporary Deputy Speaker, Sir, I beg to move and ask Mr. Kinyanjui to second this Motion.

The Assistant Minister for Roads (Mr. Kinyanjui): Mr. Temporary Deputy Speaker, Sir, I wish to second the Motion by the Vice-President and Minister for Home Affairs and also to urge hon. Members to contribute to this particular Speech. I know many have contributed but many others are yet to contribute. It raised very key and pertinent issues that will require deliberation by this House and also form the agenda in terms of the legislative agenda that is ahead of us.

I beg to second.

(Question proposed)

The Temporary Deputy Speaker (Mr. Imanyara): Yes, Mr. Mbadi!

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir---

Mr. Njuguna: On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Imanyara): Mr. Mbadi, you are out of order! The Member for Lari had six minutes remaining.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, this is a procedural Motion.

The Temporary Deputy Speaker Sir (Mr. Imanyara): Sorry! The Member for Lari, you jumped the gun.

Proceed, Mr. Mbadi.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I really do not want to downgrade the President's Speech and I think it is important that this House grants opportunity to debate the President's Speech. But I am concerned that the Government always seeks to use our time which is the only time in the week that Private Members have to bring our Motions. They always want to use this time to transact Government business. I would have been glad if we allow the Government to use our time and also use their time in the afternoon to conclude this President's Speech so that we start on other equally serious business of the House. So, I am just asking the Government not to be in the habit of trying to use Private Members' time every week to transact their business and yet it is only one sitting in the whole week.

So, I support the Procedural Motion but with that caution to the Government.

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I also want to support the Procedural Motion. In supporting this Motion, we want to urge the Leader of Government Business and the Government, generally, that this is precious time for hon. Members. It is the only opportunity we have. The Government has a lot of time, and I even argued last week that if the Government feels like they should use our time, then the Government must fully utilize their own time until they demonstrate that their time is over and that there is no more way of using it.

I hope the Leader of Government Business will also honor this House especially the Back Bench by ensuring that when we support a Procedural Motion like this one to give away our time, the Government side will show appreciation by being present to answer our Questions as you ruled this morning.

(Applause)

I beg to support.

(Question put and agreed to)

MOTION

THANKS FOR THE PRESIDENTIAL STATE OF THE NATION ADDRESS

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair, laid on the Table of the House on Tuesday, 24th April, 2012.

*(The Vice-President and Minister for
Home Affairs on 25.4.2012)*

*(Resumption of Debate interrupted
on 25.4.2012)*

The Temporary Deputy Speaker (Mr. Imanyara): I think Mr. Njuguna, you had six minutes. This is the right time for you now.

Mr. Njuguna: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to continue making my remarks on this very important State Address by the President.

I want to direct my contribution to the issue of internal security in the country and urge the Government to make sure that security is beefed up in the country. Recently, we have seen robberies in the country. Vehicles have been stolen and trucks selling goods for this country and the neighbouring countries have also been robbed. This will really affect the image of this country and something must be done.

Taxi operators in Nairobi, and particularly in Westlands, are operating in fear. No Kenyan should operate or work in this country in fear. Some of them have been strangled and the strangulation must be stopped immediately. Where is our National Security Intelligence Service (NSIS)? They should be able to address these threats.

Kidnappings have also been taking place in this country and particularly affect the poor in the society. Even huge ransoms have been demanded by the people who execute this heinous crime. Disappearance of persons has also become a common feature. This is really bad for the socio-economic growth of this country and for the entire security.

Schools have not been spared either. Computers and other equipment in our schools have been stolen. If this threat is not addressed, the quality of education in our primary and secondary schools will be compromised. Therefore, the Government must address that sector.

Mr. Temporary Deputy Speaker, Sir, concerning the external threat, we have seen pirates interfering with our waters and shipping has become very expensive. Terrorism has also become a major threat and this must be addressed. I must take this opportunity to thank the international community for coming to our assistance; the United States of America, British and even Germany. They have brought their warships to address piracy in the international waters. Our courts must speed up the prosecutions so that the pirates could be put in jail.

Al Shabaab has also become a major threat to internal security and terrorism is being experienced in every corner of this country. Christian centres have also been threatened. Bombs and grenades are being thrown into our churches. The Government must make sure that all the churches in this country are protected. There should be no fear in our churches and all the Christians must enjoy their freedom of worship without any interference. Peace must continue to prevail in our country.

Mr. Temporary Deputy Speaker, Sir, peace with our neighbours must continue to be maintained. Therefore, I support the military intervention by our Government in Somalia. When Somalia is at war, this country cannot be peaceful. We cannot conduct our day to day activities when our neighbours are suffering. You note about the issue of refugees. They are close to one million and they require food assistance and security from this country. Efforts must be made to make sure that there is adequate peace in Somalia. So, I support that intervention.

Peace is also paramount in South Sudan where young Kenyans have gone to seek employment. We have contractors there and the banking sector is also investing in that country. The building industry is also there. We are also supplying education services to South Sudan. When South Sudan is stable, we are also stable. Export of human resource will be guaranteed.

Mr. Temporary Deputy Speaker, Sir, it is also important to remember the critical roles that was played by the heroes and heroines of this country; the Mau Mau Movement. We passed a Motion in this Parliament recognizing all the freedom fighters by allowing them to get two-and-a-half acres of land. I would urge His Excellency the President to make sure that that Motion is given assent and those people will get some land where they can rest peacefully.

We also note that the new Kenya Revenue Authority (KRA) leadership has taken that responsibility seriously. I hope that the new Chief Executive Officer (CEO), Mr. Njiraini, will continue to improve revenue collection. Collecting Kshs700 billion per year can also be enhanced if KRA is going to seal all the loopholes by not allowing illicit imports and production of counterfeit goods in our country.

We note with serious disappointment the road carnage and how our Kenyans are perishing on our roads. It is important that the Traffic Department and the Ministry responsible take a very serious view on that. Our people have been dying on the roads. We have seen students dying on the roads. We have also seen other productive Kenyans perishing on the roads. It is, therefore, important that the Government headed by His Excellency the President, as we remember that he is going to leave a very huge mark on the road infrastructure, he should leave another legacy on our roads so that Kenyans will remember him as the President who brought sanity on our roads. By so doing, the innocent lives that we have lost on our roads will not be in vain. The roads will guarantee better services to Kenyans.

I wish to conclude by remembering that His Excellency the President has given his commitment to make sure that we are going to have a very smooth handover of power after the

coming general elections. This is a very serious commitment, and I hope His Excellency the President will keep his words.

With those few remarks, I fully support his Address.

Mr. I. Muoki: Thank you Mr. Temporary Deputy Speaker, Sir.

I wish to congratulate the President for the Speech that he gave. I would like to say that he, indeed, touched on the main issues of the country, ranging from the economy, infrastructure and other key aspects like security.

Mr. Temporary Deputy Speaker, Sir, I would also like to congratulate the President for the work that he has done in the nine years that he has been the Chief Executive of this country. He has done a lot to improve the infrastructure. However, while I appreciate that, I would like to say that as a Member of this House and also as a member of the Departmental Committee on Transport, Roads and Public Works, it is true that the Government has done very well in the roads infrastructure. However, when you look at the whole country, you will find that the infrastructure development has been skewed. In some regions, the roads have been done very well and development is going on. However, in other areas, there is total neglect. Here, I am thinking of places like North Eastern, Coast and, of course, lower Eastern - Kitui County.

I am particularly disturbed by the issue of Road B7. I hope the Minister is listening. I can see he is conversing. That is the only class B7 road that has not been tarmacked. The first survey was done in 1974. Every time, there have been promises that, that road will be done. The President has been in Kitui County many times, including on Monday, and he has promised on the same. The Prime Minister has also been to Kitui. He promised the residents of Kitui that, that road will be tarmacked. The same is the case with the Vice-President and Minister for Home Affairs. It is high time that the Government takes the issue of that road seriously. It connects Mombasa, Kibwezi, Mutomo, Kitui, Mwingi, Isiolo and neighbouring countries like Somalia, Ethiopia and South Sudan. It is very important that infrastructure development is done evenly in the country.

Mr. Temporary Deputy Speaker, Sir, in arid areas like Ukambani, North Eastern and North Rift, you will find that there is a lot of potential. We have minerals and vast parcels of land which can be exploited for the development of this country. However, if the Government does not do roads in those regions, you will definitely be sure there will be no development. Therefore, when the Government says it will do roads in areas which have highly potential, it is also important to note that those arid areas are also equally high potential or even higher potential. That is because if a place is able to produce oil, coal, iron ore or limestone to produce cement, then the potential for such area is even higher than coffee or tea producing areas. Therefore, I would like to urge the Government to address the issue of tarmacking roads equally in the entire country.

Still on the Presidential Speech, I would like to talk about drinking water and water for irrigation. In the same vein, there has been talk about irrigation. Every time, the Government says that it will irrigate parcels of land and make this country food sufficient. However, there has been a lot of talk without actual action. I am challenging the fact that in Kitui County, which I represent as a Member of Parliament in this House, we have very big parcels of land. We have big rivers; both perennial and seasonal rivers, which pass through that area. We have Tana River, Athi River and other smaller rivers like Tiva, Thua and others. They all pass through that area.

We have been talking about irrigation in this county for the last ten years. However, no tangible work has been done in this county. I am also challenging the Government on this front to do as it has promised. We do not want our people, year in, year out, to rely on relief food. We

want water so that we can grow our own food. If we do proper irrigation, we can be food sufficient and also supply this country with food.

Mr. Temporary Deputy Speaker, Sir, I want to urge the Government through the Ministry of Environment and Natural resources to address the issue of minerals in this country. We are now becoming aware that we have a lot of mineral potential in this country. But the present Mineral Act says only 15 per cent of mineral proceeds will benefit the local county while the 85 per cent benefits the national Government. This means that the wealth from minerals in those areas will benefit the national Government more than the local population. We are aware that if there is mining in any part of this country, the effect of the mining will affect local population. Therefore, they need more compensation than 15 per cent. I am urging the Government to move with speed, so that we amend this Act and make sure that more proceeds from mining benefits local population in line with the Constitution that provides for devolved systems of governance. We need to empower the local people and take leadership to the local areas. Therefore, if we are taking the whole wealth from the local people to the central Government then, of course, we are not respecting the Constitution that was promulgated in 2010. I urge the Government to take that step so that our people could benefit from the mining activities in their areas.

With those remarks, I beg to support.

Mr. Mwachugu: Bw. Naibu Spika wa Muda, naomba nami nichukue nafasi hii kutoa mchango wangu juu ya Hotuba ya Rais. Kwanza, ningependa kumpongeza Rais kwa Hotuba yake aliyotoa hapa Bungeni. Ni Hotuba ambayo ilianguzia mengi kuhusu maendeleo ya nchi hii.

Nikimshukuru Rais kwa yote aliyosema, hata hivyo nina mambo mawili au matatu ambayo naomba yapewe kipaombe. Kwanza ni kuhusu uchumi wetu. Hali ya uchumi wetu unaendelea kuzoroteka. Lakini Rais hakutaja kipengele chochote kuhusu mikakati inayowekwa na Serikali ili kuboresha maisha ya wananchi. Hivi sasa, wananchi wameadhirika sana. Ningependa kuona mikakati ambayo itawasaidia wananchi wasiadhirike zaidi kuliko walivyoadhirika sasa.

Mheshimiwa Rais aligusia ukarabati wa barabara. Alisema kuwa Serikali itaendelea kuzingatia sera za kuboresha barabara hapa nchini na hasa sehemu ambazo zina manufaa zaidi. Swali langu ni hili: Ni sehemu zipi ambazo hazina manufaa? Hata kule tulikuwa tunaambiwa zamani hakukuwa na manufaa na ambapo kulikuwa kumeachwa nyuma kimaendeleo, sasa mafuta yamepatikana. Barabara za huko ni mbaya sana. Hamna barabara zozote ambazo zimekarabatiwa ama kuwekwa lami. Je, hayo mafuta mtayatoa namna gani kutoka kaunti hiyo?

Barabara nyingi katika Mkoa wa Pwani ni mbaya sana. Kwa mfano, barabara ya kutoka Voi kwenda Mwatate/Wundanyi ni mbaya sana. Imepewa kampuni ambayo imeshindwa kufanya kazi kwa haraka. Kampuni hii imekuwa pale kwa zaidi ya miezi 11 na imefanya theluthi kumi ya barabara hiyo. Huo ni uzembe wa hali ya juu. Kampuni hii haiwezi kazi hiyo. Wakati umefika sasa Serikali kukatisha kandarasi hiyo na ipewe kampuni nyingine ambayo itafanya kazi kwa haraka.

Barabara ya kutoka Ndihi kwenda Mgamboni kupitia Nyache ni mbaya sana. Je, barabara hii itagharimu Serikali kiasi gani cha pesa kukarabatiwa? Hakuna pesa ambazo zimetengwa kuikarabati katika Bajeti ya mwaka huu. Maafisa wa Serikali wanajaribu kubaini kiwango cha pesa ambazo zitahitajika kuirekebisha. Barabara hii itawasaidia watu wa Mgamboni kupeleka mboga zao Mombasa bila tatizo lolote. Lakini ufisadi katika Wizara ya Barabara ni mwingi mno. Tunaomba ufisadi huu uchunguzwe ili wanaopewa kandarasi hizi wawe ni watu wamebainika wazi wazi kuwa wanaimudu kazi hiyo ya ukarabati wa barabara hii.

Barabara ya kutoka Voi hadi Taveta haijawahi kutengewa pesa zozote. Tunaambiwa kuwa bado maafisa wa Serikali wanafanya upelelezi kujua itagharimu pesa kiasi gani. Watafanya upelelezi huu hadi lini? Mpaka leo, tunaambia African Development Bank (ADB) ndio itatoa pesa za kujenga barabara hii. Ninaomba kama itawezekana kandarasi hiyo itolewe kabla ya mwisho wa mwezi wa Agosti. Tunaomba pesa hizi ziwekwe katika Bajeti ya mwaka huu itakayoanza mwezi wa Juni. Tetezi kule mashinani ni kuwa Serikali inaona ugumu kuweka barabara ya Voi/Mwatate/Taveta lami kwa sababu zile mboga zitakazo toka pale ni nyingi mno; zitafurika Mombasa na mboga za Mkoa wa Kati hazitakuwa na soko kule Mombasa. Kwa hivyo, Serikali inaendelea kudidimiza watu wa Taita au Mkoa wa Pwani kwa ujumla. Hilo tunalikataa! Tunasema wakati umefika usawa uwepo.

*[The Temporary Deputy Speaker
(Mr. Imanyara) left the Chair]*

*[The Temporary Deputy Speaker
(Prof. Kaloki) took the Chair]*

Bw. Naibu Spika wa Muda, Rais alisema anataka usawa wa nchi. Ninamuunga mkono hapa. Tunataka usawa na umoja wa nchi. Wananchi wote washirikiane, kazi ziwe zinapeanwa kwa usawa. Juzi, tuliambiwa kuwa ukabila umekita mizizi katika vyuo vikuu. Watu wa jamii fulani ndio wameajriwa sana. Huu ni ukweli kwa sababu hivi juzi Waziri wa Uchukuzi analiunda Bodi ya Kenya Ports Authority (KPA). Aliweka watu wa jamii moja. Tunaenda wapi kama Waziri anaweza kuweka watu kutoka jamii moja katika Bodi ya KPA jamii moja? Je, watu wa Pwani hawana mtu hata mmoja ambaye amesomea uanasheria? Hawana mtu anayetosha kuwa katika bodi hiyo? Tunaambiwa wengine waliwekwa huko kwa sababu ya kazi zao Serikalini. Majukumu gani? Huo ni ukabila wa hali ya juu. Mimi kama Mbunge wa Mkoa wa Pwani, naushtumu kabisa na hatutakubali uendelee. La hashu! Mnataka watu wa Pwani waende wapi? Ikiwa hatuko pamoja, basi mtwaambie tuko wapi. Kwa nini mnatusukuma ukingoni? Tukisema hatuwataki, mtaanza kusema hawa ni wakabila lakini nyinyi wenyewe ndio mnatusukuma. Tunaambia Serikali iache ufedhuli!

(Applause)

Tunataka kujua kwa nini pesa za mbuga ya Tsavo zinachukuliwa na Serikali kuu. Wale watu ambao wako katika maeneo ya mbuga, ni faida gani wanayoipata. Wao ndio wanashughulika kuangalia kuwa wale wanyama wanawalinda vilivyo. Na Bw. Spika wa Muda, nashukuru kuwa katika eneo la Bunge unaloakilisha, tunapakana nawe. Hawa wanyama pia wanakuadhiri. Nina furaha kuwa tutakuwa na Serikali ya Ugatuzi. Huu ugatuzi hautakuwa na maana kama wananchi wenyewe ikiwa hawatafaidika na rasilimali zao.

Namshukuru mwenzangu, mhe. Mbunge alitangulia kabla yangu. Amegusia jambo la madini kuwa hivi sasa zile sera zilizoko za ugawaji wa fedha za madini hazisaidii wenyeji. Lililoko hivi sasa ni kuwa ukishapeana kibali cha mtu kuchimba maadini, umeagana naye. Atachimba kila kitu na kwenda nacho, hashurutishwi kuwasaidia watu pale maadini yanatoka kuwajengea shule, maji au hospitali. Ni abebe madini na aende. Je, wenyeji watafanya nini? Haya ndio matatizo ambayo yaliyotokea Nigeria walipopata mafuta. Wenyeji hawapati chochote. Ninashukuru tumepata mafuta Turkana. Tukiendelea na sera hizo, mtawaona Waturkana

wakiendelea kuwa walivyo, na mafuta yote yataletwa Nairobi na Mabepari wa hapa Nairobi ndio watakuwa wanafaidika na hayo mafuta. Waturkana hawatakuwa na chochote. Wataita sasa wana madini mengi ambayo yametajirisha watu. Lakini, je, Wataita wanasemaje kuhusu madini hayo? Hamna chochote wanachopata. Hii ndio maana tunasema sera hizi zigeuzwe ili angalau watu wafaidike.

Bw. Naibu Spika wa Muda, mwisho, ningependa kuongea kuhusu reli na uchukuzi. Hivi sasa, barabara ya kutoka Mombasa kupitia Nairobi hadi Kampala inatumika na malori makubwa tena mazito yaliyobeba makasha au mizigo. Hii ni kwa sababu uchukuzi wa reli umeachwa ufe ili hawa mabepari waendeleo kuharibu barabara na kubeba makasha kwa kutumia malori yao makubwa makubwa. Kwa nini hatutumii reli? Ajali zinazotokea katikati ya Mombasa na Nairobi ni nyingi mno kwa sababu tunatumia barabara kusafirisha makasha. Kwa nini tusitumie reli? Hata ninashangaa kwamba reli ya kutoka Voi kwenda Taveta imeachwa ikafa. Watu wanaibeba kama *scrap*. Ninashukuru Waziri yuko hapa. Ninatoa mchango wangu uje uone ile reli jinsi mlivyoiacha. Ni mali ya umma na ni mali ya Serikali lakini hakuna mtu ambaye anaiangalia. Imeachwa, watu wafanye wanavyotaka kufanya, wabebe hivyo vyuma na waende waviyeyushe ili wafanye navyo shughuli nyingine. Je, ni nani anayehusika? Hii ni reli ambayo inaweza kutumika kuunganisha Kenya na Tanzania ili tuokoe uchumi wetu.

Nikimalizia, jambo la kusikitisha ni kuwa tuna vyuo vikuu vingi ambavyo vimeanzishwa. Lakini katika Mkoa wa Pwani, hatuna hata kimoja ambacho kimesajiliwa sawasawa. Tunazo zile zinaitwa “*constituent colleges*” lakini hatuna chuo hata kimoja ambacho kimepewa mamlaka yote katika Mkoa wa Pwani. Inamaanisha nini? Ile kasumba mliokuwa nayo ya ukoloni mamboleo kwamba tuwe tunawaacha watu wa Pwani bado mnayo. Tunaomba mgeuke. Kama ugatuzi hautawageuza sijui ni nani. Labda ni wakati Yesu atarudi.

Kwa hayo mengi, ninaomba niweke tamati.

Mr. Kiuna: Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, I would like to congratulate His Excellency the President for his good Speech he made in this House. This Speech touched on various issues affecting our country. I would like to commend him on the issue of roads. As my colleague has just mentioned, if you look across the country, you will find that there is a lot of change and improvement with regard to road infrastructure. The Assistant Minister for Roads is here and I hope he is listening. With regard to the road network in the whole Republic, the Government has done a commendable job compared with the previous regimes.

On agriculture, we have also seen some improvement. As we commend the Government for its good work with regard to agriculture, there is more to be done in that sector. I am saying this because I come from an agriculturally productive area; that is, Molo in Nakuru County. We are very much endowed with various food crops and our farmers are very hardworking. These hardworking Kenyans should be commended and supported. However, it is very unfortunate that as I speak here, the sweat of these diligent farmers or Kenyans is going to drain because they hardly get what they are supposed to get. I am particularly talking about dairy farmers who help in the production of milk. We have the KCC which is owned by farmers. The farmers are deprived of the gains of their sweat. There are some people who want to hijack that process. So, I request that those who are in charge to tread carefully.

With regard to pyrethrum, I hope the Government will do something and rectify the situation. It is disappointing to see that we, the pyrethrum growers, are not allowed to process it here and sell it as a finished product. Instead, we export pyrethrum and when it comes back, we buy it at exorbitant prices. Why can we, Kenyans – the producer – not also manufacture and sell

the products of pyrethrum to the outside world? It is an issue we need to revisit and look at afresh.

Mr. Temporary Deputy Speaker, Sir, with regard to maize, it pains me a lot to see an agricultural productive country like Kenya importing food---

QUORUM

Mr. Kiilu: On a point of Order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): What is your point of order, hon. Kiilu?

Mr. Kiilu: Mr. Temporary Deputy Speaker, Sir, looking at the hon. Members in this House and considering the importance of the matter we are discussing, it would appear that we do not have quorum.

The Temporary Deputy Speaker (Prof. Kaloki): Clerks-at-the-Table, do we have quorum? Could the Quorum Bell be rung so that we get the right quorum in the Chamber? Serjent-at-Arms, go ahead and ring the Bell!

(The Division Bell was rung)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, due to lack of quorum, the House stands adjourned until this afternoon at 2.30 p.m. So, hon. Kiuna, you will have an additional five minutes to contribute on the Presidential Address when this Motion comes to the Floor. Otherwise, we now adjourn.

The House rose at 11.10 a.m.